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July 11, 2008

The Honorable Charles L. Brieant  
United States District Court  
300 Quarropas Street  
White Plains, New York 10601

Re: Caba v. City of White Plains Et Ano  
08 CV 2397 (CLB)(LMS)

Your Honor:

I am of counsel to James Lenihan, attorney for plaintiff in this civil rights action.

Plaintiff respectfully requests supervision of discovery be referred to the Magistrate. Defendant White Plains has not objected to or answered plaintiff's initial discovery demands and has not requested an enlargement of time in which to do so. It appears that an order compelling the responses may be needed. Additionally, plaintiff expects that there will be discovery disputes needing judicial intervention. Finally, defendant's failure to timely respond will likely prevent plaintiff from amending his complaint by July 21, 2008, the date set out in our scheduling order.

Plaintiff respectfully requests that Your Honor refer supervision of discovery to the Magistrate.

Very truly yours,



Matthew Flamm

cc: Frances Marinelli  
Attorney for defendants

James Lenihan

